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Attorney for Plaintiff,
JERMAINE MONTIEL

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JERMAINE MONTIEL,

Plaintiff,

vs.

OFFICER M. WILLIAMS, Badge No.
3751; SERGEANT C. SHEPPARD,
Badge No.. 3125; OFFICER
HERNANDEZ, Badge No.. 3898;
OFFICER RODRIGUEZ, Badge No..
3087; JOHN DOE and RICHARD ROE;
ROBERT DAVIS; CITY OF SAN JOSE,

Defendants.

CASE NO.: C07-05490 JF

**STIPULATION TO CONTINUE
TRIAL AND RELATED DATES;
[PROPOSED] ORDER**

Trial Date: October 18, 2010
Judge: Hon. Jeremy Fogel
Courtroom: 3

The parties to this action, by and through their attorneys of record, Michael Groves for Defendants and Anthony Boskovich for Plaintiff, hereby stipulate as follows:

1 This case is currently set for trial on October 18, 2010. Plaintiff's counsel, solo
 2 practitioner Anthony Boskovich, is intensely involved in a number of time consuming cases,
 3 both criminal and civil, which will interfere both with the preparation and the trial of the
 4 *Montiel* case. Also, Plaintiff's attorney is still attempting to locate witness Brandon Adam.
 5 After Plaintiff's attorney Boskovich contacted Defendants' attorney Groves with these
 6 concerns, Attorney Groves graciously agreed to stipulate to a continuance of the dates.

7 In light of this and both attorneys' calendars, the parties hereby stipulate to continue
 8 the trial date and related pretrial dates and seek the Court's approval for the same.

9 The current trial and pretrial dates are as follows:

10	Expert Disclosures due:	July 9, 2010
11	Close of Fact Discovery:	July 23, 2010
12	Close of Expert Discovery:	July 30, 2010
13	Pre-Trial Conference:	September 17, 2010 at 11:00 am
14	Jury Selection:	October 15, 2010
15	Jury Trial:	October 18, 2010

16 The parties seek the following new schedule:

17	Expert Disclosures due:	March 4, 2011
18	Close of Fact Discovery:	April 8, 2011
19	Close of Expert Discovery:	April 22, 2011
20	Pre-Trial Conference:	May 13, 2011 at 11:00 am
21	Jury Selection:	May 20, 2011
22	Jury Trial:	May 23, 2011

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BOSKOVICH & APPLETON

Dated: August 24, 2010

/s/ Anthony Boskovich
ANTHONY BOSKOVICH
Attorney at Law

Attorney for Plaintiff,
JERMAINE MONTIEL

Dated: August 24, 2010

RICHARD DOYLE, City Attorney

By: /s/ Michael R. Groves
MICHAEL R. GROVES
Sr. Deputy City Attorney

Attorney for Defendants,
CITY OF SAN JOSE, ROBERT DAVIS,
OFFICER MATTHEW WILLIAMS,
SERGEANT CARLTON SHEPPARD,
OFFICER JUAN HERNANDEZ, and
OFFICER GERARDO RODRIGUEZ

ATTESTMENT OF CONCURRENCE PER GENERAL ORDER 45 FOR FILING:

I attest that concurrence in the filing of this document by the signatories, Michael Groves and Anthony Boskovich, has been obtained, and that a record of the concurrence shall be maintained at the Office of the City Attorney.

Dated: August 24, 2010

By: /s/ Michael R. Groves
MICHAEL R. GROVES

IT IS SO ORDERED.

Dated: 8/25/10


HON. JEREMY FOGEL
United States District Court Judge